

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION AT COLUMBUS**

RICKY JOHNSON,  
a/k/a Rodney Knuckles

Petitioner, : Case No. 2:21-cv-790

- vs -

District Judge Edmund A. Sargus, Jr.  
Magistrate Judge Michael R. Merz

WARDEN, Ross  
Correctional Institution,

:  
Respondent.

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**ORDER STRIKING MOTION FOR SUMMARY JUDGMENT**

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This habeas corpus case, brought *pro se* by Petitioner Ricky Johnson, is before the Court on Petitioner's Motion for Summary Judgment (ECF No. 43).

On August 17, 2021, this Court entered a final judgment dismissing Johnson's habeas corpus case (ECF No. 22). Although Johnson has moved to reopen that judgment (ECF No. 37), the undersigned has recommended denying that Motion (ECF No. 38), District Judge Sargus has not yet resolved Johnson's Objections to that Report, the case remains closed. This Court has no authority to grant summary judgment in a closed case.

The Magistrate Judge further notes that Johnson has not served his Motion on opposing counsel.

The Motion for Summary Judgment is accordingly STRICKEN.

January 27, 2023.

*s/ Michael R. Merz*  
United States Magistrate Judge